


OCT 14 2016

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

DONALD LEE HESS,	)	CASE NO. 7:16CV00262
	)	
Plaintiff,	)	
v.	)	FINAL ORDER
	)	
BARRY VIERS, <u>ET AL.</u> ,	)	By: Glen E. Conrad
	)	Chief United States District Judge
Defendant(s).	)	

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that this action is **DISMISSED** without prejudice for failure to prosecute, see Fed. R. Civ. P. 41(b); defendant's motions (ECF Nos. 14 and 20) are **DISMISSED** without prejudice; and the action is stricken from the active docket of the court.

ENTER: This 14<sup>th</sup> day of October, 2016.

  
\_\_\_\_\_  
Chief United States District Judge